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Attorneys for Defendant
TREND MICRO INCORPORATED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PRAGMATUS TELECOM, LLC,

Plaintiff,

v.

TREND MICRO INCORPORATED,

Defendant.

CASE NO. 12-06195 EMC

JOINT STIPULATION

1 Pragmatus Telecom, LLC (“Pragmatus”) and Trend Micro Incorporated (“Trend Micro”),
2 hereby agree and stipulate as follows:

3 1. Pragmatus has brought the above-captioned patent infringement action (the
4 “Action”) accusing Trend Micro of infringing three patents identified in the Complaint by
5 providing live chat services over the Internet (referred to herein as the “Live Chat Services”).

6 2. Trend Micro represents that any Live Chat Services it has used in the United States
7 during the six years prior to the filing of the Complaint and subsequent to the filing of the
8 Complaint have been provided by LogMeIn Inc. and LivePerson Inc.

9 3. On November 21, 2012, LogMeIn filed a declaratory judgment action against
10 Pragmatus, captioned *LogMeIn Inc. v. Pragmatus Telecom, LLC* (No. 1:12-cv-01507-RGA) (the
11 “LogMeIn Declaratory Judgment Action”), which was pending before the District of Delaware,
12 and in which LogMeIn seeks judgments of (1) non-infringement of the patents-in-suit by
13 LogMeIn technology, and (2) invalidity of the patent-in-suit.

14 4. On February 7, 2012, LivePerson filed a declaratory judgment action against
15 Pragmatus, captioned *Liveperson, Inc. v. Pragmatus Telecom, LLC* (No. 1:12-cv-00147-RGA)
16 (“LivePerson Declaratory Judgment Action”), which is pending before the District of Delaware,
17 and in which LivePerson seeks judgment of (1) non-infringement of the patents-in-suit by
18 LivePerson technology, and (2) invalidity of the patent-in-suit .

19 5. Pragmatus and Trend Micro stipulated and agreed and the Court ordered that this
20 Action shall be stayed until at least April 26, 2013 in order to permit sufficient time for the
21 LogMeIn Declaratory Judgment Action to resolve and for the parties to resolve any other
22 remaining issues.

23 6. The LogMeIn Declaratory Judgment Action has since resolved.

24 7. Furthermore, the parties stipulate and agree, subject to the approval of the Court
25 that this Action shall be further stayed until the resolution of the LivePerson Declaratory
26 Judgment Action.

27 8. In light of the foregoing, Pragmatus and Trend Micro do not believe that ADR
28 needs to be selected at this time.

FEINBERG DAY ALBERTI & THOMPSON LLP

Dated: May 16, 2013

By /s/ Marc Belloli

Elizabeth Day
Ian Feinberg
David Alberti
Sal Lim
Yakov Zolotorev
Marc Belloli

Attorneys for Plaintiff
PRAGMATUS TELECOM, LLC

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By /s/ D. Stuart Bartow

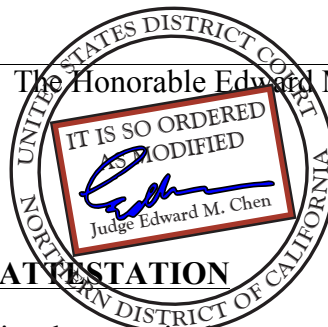
Yar R. Chaikovsky
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Attorneys for Defendant
TREND MICRO INCORPORATED

SO ORDERED, this 23rd day of May, 2013.

A CMC has already been scheduled for 9/24/13 at 2:30 p.m. A joint CMC Statement shall be filed by 9/17/13.

The Honorable Edward M. Chen



ATTESTATION

I hereby attest that all other signatories listed concur in the content and have authorized this filing.

By: /s/ Marc Belloli

Marc Belloli